

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 4th December, 2024

Afternoon Sitting

*The House met in the Senate Chamber,
Parliament Buildings at 2.30 p.m.*

[The Speaker (Hon. Kingi) in the Chair]

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

The Speaker (Hon. Kingi): Clerk, do we have quorum? Serjeant-at-Arms, Kindly ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

(Several Senators walked into the chamber)

The Speaker (Hon. Kingi): Order, hon. Senators. I am informed we do have quorum now. Sen. (Dr.) Khalwale and company, kindly take your seats.

(Several Senators took their seats)

The Speaker (Hon. Kingi): Vice Chairperson, you may proceed to lay the Papers on behalf of the Chairperson of the County Public Accounts Committee.

PAPERS LAID

REPORTS ON CONSIDERATION OF FINANCIAL STATEMENTS OF VARIOUS COUNTY ASSEMBLIES AND EXECUTIVES

Sen. Cherarkey: Mr. Speaker, Sir, I beg to lay the following papers on the Table of the Senate today, 4th December, 2024-

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Report of the Senate County Public Accounts Committee on the reports of the Auditor-General on the financial statement of the following County Assemblies: Siaya, Nandi, Baringo, Bomet, Bungoma, Elgeyo, Marakwet, Embu, Homa Bay, Kajiado, Kakamega, Kericho, Laikipia, Meru, Nakuru, Tana River and Nyeri. For the financial year 2019-2020, Tharaka Nithi for the financial years 2019/2020 and 2020/2021, and Kericho for the financial years 2020/2021 and 2021/2024.

Report of the Senate County Public Accounts Committee on the reports of the Auditor-General on the financial statements of the following county executives: Tana River and Migori County Executives for the financial years 2018/2019 and 2019/2020. Elgeyo, Marakwet, Mandera, Lamu, Taita, Taveta county executives for the financial years 2019/2020. Finally, Uasin Gishu county executive for the financial years 2019/2020 and 2020/2021.

On behalf of the Chairperson of the County Public Accounts Committee, I beg to lay.

(Sen. Cherarkey laid the documents on the Table)

The Speaker (Hon. Kingi): Next Order. We will proceed to Statements pursuant to Standing Order No.52(1). Sen. Hamida Kibwana, proceed. Senator for Nandi, I will indulge you. Before we proceed with the Statements, you may have to give notice on the reports that you have just laid on the Table.

NOTICES OF MOTIONS

ADOPTION OF REPORT ON CONSIDERATION OF FINANCIAL STATEMENTS OF VARIOUS COUNTY ASSEMBLIES

Sen. Cherarkey: Mr. Speaker, Sir, I beg to give Notice of the following Motion-

THAT the Senate adopts the report of the Senate County Public Accounts Committee on the reports of the Auditor-General on the financial statements of the following county assemblies: Siaya, Nandi, Baringo, Bomet, Bungoma, Elgeyo, Marakwet, Embu, Homa Bay, Kajiado, Kakamega, Kericho, Laikipia, Meru, Nakuru, Tana River, and Nyeri for the financial year 2019/2020. Tharaka Nithi for the financial years 2019/2020 and 2020/2021 and Kericho for the financial years 2020/2021 and 2021/2022 laid on the table of the Senate today, Wednesday, 4th December, 2024.

ADOPTION OF REPORT ON CONSIDERATION OF FINANCIAL STATEMENTS OF VARIOUS COUNTY EXECUTIVES

Mr. Speaker, Sir, I beg to give Notice of the following Motion-

THAT the Senate adopts the report of the Senate County Public Accounts Committee on the reports of the Auditor-General on the

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financial statements of the following county executives: Tana River and Migori county executives for the financial year 2018/2019 and 2019/2020.

Elgeyo, Marakwet, Mandera, Lamu, and Taita Taveta county executives for the financial years 2019-2020.

Uasin Gishu County executives for the financial years 2019/2020 and 2020/2021 laid on the table of the Senate today, Wednesday, 4th December, 2024.

On behalf of the Chairperson, thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Now, Hon. Senators, before I proceed to the Statements pursuant to Standing Order No. 53(1), allow me to make the following communication.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATIONS FROM VARIOUS COUNTY ASSEMBLIES

I would like to acknowledge the presence in the Speaker's Gallery this afternoon of a visiting delegation from the Centre for Parliamentary Studies and Training.

The Centre for Parliamentary Studies and Training is conducting a training programme on delegated legislation for clerk assistants and legal counsel serving in the Parliamentary Service Commission and various counties.

Hon. Senators, I request each member of the delegation to stand when called out so that they may be acknowledged in the Senate tradition.

- (1) Mr. Hassan Wandere, Samburu County
- (2) Ms. Fatuma Kingi, Kwale County
- (3) Mr. M. Hassan Abdullahi, Mandera County
- (4) Ms. Pauline Rebo, Nyeri County
- (5) Ms. Prisca Jematia, Nyeri County
- (6) Mr. Mahat Hassan, Garissa County
- (7) Mr. James Munyi Ileri, Embu County
- (8) Mr. Bonface Muthoni Ileri, Embu County

On behalf of the Senate and on my behalf, I extend a warm welcome and wish you a fruitful visit.

I will ask the Senator for Kakamega to extend a word of welcome to the delegation in under one minute.

Sen. (Dr.) Khalwale: Thank you, Mr. Speaker, Sir. It is an honour because even in communication, your tone and your words are more than congratulations. So let me ride on what you have just said and tell the young Kenyans that they are most welcome to this Senate.

I wish them well. One of these days, one of them will run to be Senator. I advise you not to run in Nairobi County because my brother's son is the Senator of Nairobi. I do not want him to face unnecessary challenges.

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Ladies and gentlemen, you are most welcome.

QUESTIONS AND STATEMENTS

STATEMENTS

The Speaker (Hon. Kingi): Sen. Hamida Kibwana, proceed. Sen. Tabitha Mutinda, what say you?

Sen. Tabitha Mutinda: Sen. Kibwana requested that I take care of her statements. She might be running late.

The Speaker (Hon. Kingi): You may proceed, please.

GLOBAL OBSERVATION OF 16 DAYS ACTIVISM AGAINST GBV

Sen. Tabitha Mutinda: On behalf of Sen. Hamida Kibwana, I stand to make a Statement on the global observation of the 16 days of activism against Gender-Based Violence (GBV).

Mr. Speaker, Sir, I rise Pursuant to Standing Order No.52(1) to make a Statement on a matter of general topical concern, namely the global observations of the 16 days of activism against gender-based violence, which commenced on the 25th November, 2024, the International Day for the Elimination of Violence Against Women, and will culminate on 10th December, 2024, Human Rights Day.

This global campaign calls for urgent action to end all forms of GBV, a persistent issue that continues to affect millions worldwide, including here in Kenya. GBV is not only a gross violation of human rights but also a significant barrier to achieving gender equality, sustainable development, and the protection of vulnerable populations.

In Kenya, the prevalence of gender-based violence remains alarmingly high. According to the Kenya Demographic and Health Surveys 2022, over 38 per cent of women---

(Loud Consultations)

The Speaker (Hon. Kingi): Hon. Senators, may Sen. Tabitha Mutinda be heard in silence, please.

Sen. Tabitha Mutinda: Thank you, Mr. Speaker, Sir. Over 38 per cent of women aged between 15 years to 49 years reported experiencing physical and sexual violence in their lifetime.

Alarmingly, we have witnessed an upsurge in femicide cases, with the National Crime Research Centre reporting a 35 per cent increase in femicide cases in 2023 alone. Additionally, Technology-Facilitated Gender-Based Violence (TFGBV) is emerging as a significant threat, with a 2023 policy study revealing that one in every three women in Kenya has experienced online harassment or abuse. This includes cyber-stalking, non-consequential sharing of intimate images, and online threats, disproportionately targeting

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young women. The socio-economic and emotional toll of GBV, including TFGBV, cannot be overstated.

Survivors do face profound physical and psychological trauma, and the violence exacerbates gender inequalities in education, employment, and public participation. GBV also affects Kenya's economic growth, and the National Gender and Equality Commission estimates that GBV costs the economy billions annually in lost productivity and health care costs.

We do observe that in the 16 days of activism as a country, we need to work on the following measures to address gender-based violence in all forms-

(1) Strengthening legislative frameworks. Enact comprehensive laws to address TFGBV, ensuring clear definitions and penalties for perpetrators. Amend the Computer Misuse of Cybercrimes Act to include specific protections for women against online abuse and harassment.

(2) Promote prevention education. Integrate digital literacy programmes into the education system to equip young people, especially women and girls, with the skills to navigate the digital space safely.

(3) Launch nationwide public awareness campaigns to highlight the dangers of GBV and TFGBV, with a focus on empowering communities to act against these injustices.

(4) Invest in survivor support systems and establish and fund more safe houses, counselling centres, and legal aid services for survivors.

(5) Partner with technology companies to enhance online reporting mechanisms and ensure swift removal of harmful content.

(6) Improve law enforcement and accountability. Train police officers and prosecutors to handle GBV and TFGBV cases sensitively and effectively.

(7) Ensure timely investigations and prosecution of femicide and TFGBV cases to deter potential offenders.

(8) Enhance data collection and research. Establish a national-wide database to track GBV and TFGBV cases and label a data-driven policy-making and resource allocation.

Lastly, the 16 days of activism remind us that the fight against gender-based violence is a collective responsibility. It is, therefore, imperative for this House to take the lead in addressing GBV and TFGBV by enacting robust policies, allocating sufficient resources and championing the rights of women and girls.

In conclusion, I urge my colleagues and stakeholders across the country to renew their commitment to ending all forms of violence against women and girls, ensuring that Kenya becomes a safer and more equitable society for all.

On behalf of Sen. Hamida Kibwana, the Chairlady of Kenya Women Senators, I thank you.

RECENT VISIT BY MEMBERS OF UNITE IN
PARTNERSHIP WITH UNITAID

The second statement is about the UNITE and UNITAD's visit to Kenya.

Mr. Speaker, Sir, I rise pursuant to Standing Order No.52(1) to make a Statement on a matter of general topical concern.

(Sen. Kibwana walked into the chamber)

Mr. Speaker, Sir, I have seen Sen. Kibwana walk into the Chamber.

The Speaker (Hon. Kingi): Proceed and conclude that Statement.

Sen. Tabitha Mutinda: Alright. I rise on a matter of general topical concern, namely the recent visit to Kenya by members of United Nonviolent Initiative Towards Equality (UNITE), the Global Parliamentarian Network for Global Health, in partnership with (United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL)UNITAD.

This visit, held from 25th to 27th, 2024, aims to showcase UNITAD-funded projects and explore how parliamentarians can use their voices to champion better health outcomes, advocate for more resource allocation to the health sector, and build meaningful partnerships. The delegation engaged in impactful discussions and visits, including a courtesy meeting with the Ministry of Health, where they highlighted Kenya's health priorities and the role of UNITAD in accelerating responses to HIV, TB, malaria, cervical cancer, and global health security.

The delegation also visited health facilities in Makueni County and Nairobi County, observing projects addressing cervical cancer, post-mortem haemorrhage, and medical oxygen access.

These sites underscored the transformative impact of innovative health solutions in saving lives and improving the well-being of women and children. Key meetings that were held between the delegation and the members of parliament, that is, the National Assembly Departmental Committee on Health and the Senate Deputy Speaker, alongside members of the Senate Health Committee, engaged the delegation on the need for greater political commitment to health, especially in promoting equitable access to innovative health tools.

UNITAD and UNITE have registered a number of achievements in Kenya, notably the following –

Cervical cancer, UNITAD has supported innovative screen-and-treat solutions that have empowered women in rural areas to access life-saving care, significantly reducing mortality rates.

Through partnerships with, health providers have received training to manage Post-Mortem Haemorrhage (PPH) effectively, saving the lives of mothers in rural areas. Medical oxygen access, the Vayu bubble cup, and the oxygen blender system showcased at Kenyatta National Hospital have revolutionised neonatal care by providing affordable, electricity-free oxygen solutions for remote areas.

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UNITAD has supported systems that improve oxygen delivery, which is critical for maternal health and paediatric emergencies. Health unity, UNITAD has consistently prioritised equitable access to health tools, benefiting millions of Kenyans, particularly women and children.

The visit reinforced the importance of health partnerships and the role of parliamentarians in driving change. It is imperative that we advocate for increased budgetary allocations to the health sector to support innovative solutions and meet the growing health demands of our population.

Strengthen legislative frameworks to promote equitable access to health care. Encourage more members of this House to join the UNITE network to amplify Kenya's voice in global health advocacy and learn from international best practices.

Lastly, collaboration with partners like UNITAD should be enhanced to scale up successful health interventions and ensure sustainability.

I take this opportunity to commend the members of UNITE and UNITAD for their dedication and for taking time to visit Kenya. Their presence and insights have reignited our collective responsibility to champion health issues not only for Kenyans but also as part of the global community.

In conclusion, I urge this House to prioritise health as a pillar for sustainable development by championing better health systems, allocating adequate resources, and fostering strategic partnerships. We can ensure that all Kenyans have access to the quality health care they deserve.

On behalf of Sen. Hamida Kibwana, the Chairperson of Kenya Women's Senators, thank you.

The Speaker (Hon. Kingi): Sen. Chesang, proceed. Sen. Chesang had three Statements, those three Statements are dropped.

AUTOMATION AND DIGITIZATION OF
SERVICES AT THE COB OFFICE

(Statement dropped)

MANAGEMENT AND OPERATION OF THE KUTRRH

(Statement dropped)

TRANS NZOIA COUNTY GOVERNMENT
PENDING BILLS FROM THE FY 2021/2022

(Statement dropped)

The Speaker (Hon. Kingi): Sen. Wafula, proceed. Senator for Nandi, you may approach the Chair. You do not need to use the microphone.

(Sen. Cherarkey approached the Speaker)

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STATUS OF THE ESOP SCHEME BY
EQUITY BANK LIMITED

Sen. Wafula: Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare regarding the status of the Equity Bank Kenya Limited Employee Share Ownership Plan ASOP scheme.

In the statement, the committee should-

(1) Provide a list of the trustees currently managing the Equity Bank Employee Share Ownership Plan scheme, explaining how they were appointed.

(2) Provide an annual breakdown of the number of employees who have joined as well as those who have opted out of the ASOP scheme from 2005 to date.

(3) Outline the terms and eligibility criteria for redemption of units held under the ASOP scheme.

(4) State the number of employees who have so far applied to redeem units held under the ASOP scheme, indicating the amount of cash or shares received by the respective employees so far.

(5) Table financial advance statement in respect of the ASOP scheme, indicating the total units held, accrued dividends and interest as well as all the bulk transactions from 2005 to date.

I thank you.

The Speaker (Hon. Kingi): Sen, Allan Chesang, your absence has been explained to the satisfaction of the Chair. You may proceed to read your statements.

AUTOMATION AND DIGITISATION OF
SERVICES AT COB OFFICE

Sen. Chesang: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No. 53(1) to request a Statement from the Standing Committee on Information, Communication and Technology regarding the need for automation and digitization of services in the office of the Controller of Budget (CoB).

The Standing Committee on Information, Communication and Technology resolved to conduct a county oversight and networking engagement in the counties of Uasin Gishu, Elgeyo Marakwet, Trans Nzoia and Bungoma, as part of an ongoing inquiry into operations of the Integrated Financial Management Information System (IFMIS) and other county revenue collection and management systems.

The Committee was particularly interested in presentations on each county's revenue collection and management systems; focusing on system overview, integration with IFMIS, effectiveness in revenue collection, key strengths and challenges, operational costs, sustainability and any planned future improvements.

Mr. Speaker, Sir, as you are aware, the Senate has been in the front-line championing for devolution and to that effect, passed the report of the Mediation Committee on the Division of Revenue Bill (National Assembly Bill No. 38 of 2024), on

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Thursday, 28th November 2024, to ensure financial stability and continued service delivery at the county level.

However, during the counties visit, the Committee identified a critical bottleneck that threatens the success of devolution; namely the persisting challenge occasioned by the delays and inefficiencies in the budget approval processes at the office of the Controller of Budget (CoB), despite the constitutional framework intended to streamline governance and financial management at the county level as provided for in Article 228(4) and (5)

In the statement, the Committee should-

(1) Outline any strategies in place to ensure automation and digitization of processes in the office of the CoB to stem claims that reliance on manual systems not only hampers the fast processing of budget approvals but also creates loopholes for corruption.

(2) Investigate allegations that some officials within the office of the CoB engage in gatekeeping practices, allegedly withholding approval of funds for counties unless illicit payments are made.

(3) Explain the reasons why county secretaries are required to manually deliver physical documents to the office of the CoB in Nairobi despite the presence of county representatives from the said office.

I thank you.

MANAGEMENT AND OPERATION OF KUTRRH

Mr. Speaker, Sir, let me proceed to read my next Statement. I rise, pursuant to Standing Order 53(1) to seek a statement from the Standing Committee on Health regarding the management and operations of the Kenyatta University Teaching, Referral, and Research Hospital (KUTRRH).

In the statement, the Committee should-

(1) Outline the academic and other requirements for appointments to the position of CEO of the hospital and state the qualifications of Mr. Mohamed Dagane.

(2) Provide details of the hospital staff medical cover, including the entitlement for each cadre of staff, and explain the delay in payments that led to suspension of the staff medical cover by Jubilee Insurance.

(3) Shed light on allegations of unlawful and unfair labour practices, disruption of essential health care services, and financial irregularities at the hospital.

(4) Investigate reports of deterioration of health services at the hospital disclosing any cases of unprofessional conduct by the hospital management.

TRANS NZOIA COUNTY GOVERNMENT PENDING BILLS FROM FY 2021/2022

Mr. Speaker, Sir, to my last Statement. I rise pursuant to Standing Order 53(1) to seek a statement from the Standing Committee of Finance and Budget regarding the

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pending bills owed by Trans Nzoia County Government from financial year 2021/2022 to date.

In the Statement, the Committee should-

(1) Table a comprehensive report detailing the contractors and entities, including the names of the companies, their directors, contact details, and the services rendered by each company to the Trans Nzoia County Government for the financial year 2021/2022 to date.

(2) Provide a detailed breakdown of all outstanding payments owed by contractors and other entities by the Trans Nzoia County Government from the financial year 2021/2022 to date.

(3) Furnish the Senate with the budgetary allocation for pending bills from 2021/2022 to date and provide a list of all requisitions for the payment of the pending bills, along with evidence and certificates for each payment.

I thank you.

The Speaker (Hon. Kingi): Sen. Fatuma Dullo.

ALLEGED GRABBING OF COMMUNITY LAND IN ISIOLO COUNTY

Sen. Dullo: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Land, Environment, and Natural Resources regarding the claims of grabbing community land in Isiolo County.

In the Statement, the Committee should-

(1) Provide an audit of all community land in Isiolo County, indicating the parcels that have been registered, surveyed, or currently undergoing survey.

(2) State reasons for the delay in the registration of community land in Isiolo County.

(3) Provide an audit of all transfers carried out in respect of the community land in Isiolo County from 2016 to date, stating whether respective communities granted consent for the transfers.

(4) Provide data for parcels of community land that have minerals, indicating the current status of the proprietorship of each of these parcels.

(5) Provide details of the reported instances where parcels of community land have been grabbed by individuals and private entities, outlining steps being taken to revert ownership and possession of the parcel of land to the community and to hold the persons involved to account.

Mr. Speaker, Sir, if you can allow me, I will proceed with the rest.

The Speaker (Hon. Kingi): Yes, proceed. You have three Statements.

STATE OF ROADS IN ISIOLO COUNTY

Sen. Dullo: Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Roads, Transportation, and Housing on the status of roads in Isiolo County.

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In the Statement, the Committee should-

(1) State the total amount of money allocated by the county government of Isiolo for roads for each financial year since 2022 to the current date and provide a detailed breakdown for each project.

(2) Provide a detailed account of the road maintenance and works across the county, including current contracts awarded, payments made to various companies, and their status.

(3) Provide a detailed breakdown of the total amount of pending bills for roads in Isiolo County.

(4) Provide a list of roads that have undergone maintenance between 2022 to date.

I thank you, Mr. Speaker, Sir. I will now read my final Statement.

DELAY IN COMPLETION OF THE HORN OF AFRICA PROJECT IN ISIOLO COUNTY

Mr. Speaker, Sir, I rise pursuant to Standing Order 53(1), to seek Statement from the Standing Committee on Road Transportation and Housing, on the delay in the completion of the Horn of Africa Project in Isiolo County.

In the Statement, the Committee should-

(1) Explain why the Horn of Africa project has not been completed since its commencement in 2017.

(2) Provide a detailed account of the status of completion of the project, including but not limited to what has been done, what is pending, and any alterations made.

(3) Outline the progress that has been made to compensate residents whose land was taken for the project, and what steps are being taken to ensure that the completion of the project is expedited and that there are no further delays.

I thank you.

The Speaker (Hon. Kingi): Sen. Kathuri, Senator for Meru County, do you have two Statements? You may proceed to read both.

ALLEGED MISMANAGEMENT OF THE UNIVERSITY OF NAIROBI

Sen. Kathuri: Hon. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Education regarding the mismanagement of the University of Nairobi.

In the Statement, the Committee should-

(1) Investigate allegations that the University of Nairobi Council Chairman has taken over the role of the Vice-Chancellor in the daily running of the university affairs, and is continuously engaged in unlawful practices, including misuse of university resources, irregular recruitment, and promotion of administrative staff, arbitrary transfer of staff, unprocedural placing of staff on compulsory leave, scrapping of lawful positions, and creation of non-existent positions, and development of a human resource manual

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without involving the Public Service Commission, the University Senate, Ministry of Education, the University's Academic Staff Union (UASU), and other stakeholders.

(2) Explain the circumstances under which Mr. Brian Ouma, the acting Chief Operations Officer (COO) at the University, was recruited and subsequently promoted with the fake academic papers.

(3) Explain why the said Mr. Ouma's contract as acting COO was renewed despite the finding by the Ethics and Anti-Corruption Commission that the employee had initially secured employment using fake academic papers, yet the position does not exist in the University of Nairobi Charter and the Statutes, and the courts already declared illegal.

(4) Provide reasons for the inordinate delay by the University Council to competitively recruit and substantively fill senior management positions in the University, including the positions of Vice-Chancellor, Deputy Vice-Chancellors, Head of Finance, Head of Procurement, Head of University Health Services, Head of Security and Safety, Head of Halls Management and Registrar Administration, among others.

I thank you.

ALLEGED DELAY IN TRANSITION OF NHIF STAFF TO SHA

Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Health regarding the delayed transition of staff of the National Health Insurance Fund (NHIF), to the Social Health Authority, (SHA).

Mr. Speaker, Sir, despite the provisions in the Social Health Insurance Act, 2023 regarding the transition of NHIF staff to SHA, the Board of Social Health Authority has not yet advertised any positions for appointment or communicated the way forward to the NHIF staff.

I therefore request the Committee to-

(1) Provide reasons for the delayed transition of NHIF staff to SHA, stating whether a staff establishment and the terms and conditions of service in the Authority have been approved, and if so, disclose details of the same.

(2) Indicate when SHA will advertise the recruitment of persons to positions within the Authority, outlining safeguards put in place to ensure the NHIF staff are given priority as required by the Social Health Insurance Act, 2023.

(3) Provide details of the framework for optional retirement and redeployment of NHIF staff within the public service, stating whether information on the framework has been availed to NHIF staff to enable them to make informed decisions.

I thank you.

The Speaker (Hon. Kingi): Senator for Nandi County, please proceed.

DISMISSAL OF KEMRI STAFF

Sen. Cherarkey: Mr. Speaker, Sir, I rise pursuant to Standing Order 53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare regarding the dismissed employees of the Kenya Medical Research Institute, (KEMRI).

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Mr. Speaker, Sir, in the Statement, the Committee should-

(1) Explain the reasons that led to termination of employment of over 35 workers at the Kenya Medical Research Institute (KEMRI) in 2009 and 2010, including the specific allegations of misconduct or poor performance.

(2) Provide reasons for the failure to comply with the Labour Court's ruling in a case No.37/2010, issued on 14th October, 2020, which directed the payment of salary arrears to the affected staff, stating the reasons for the continued non-compliance with the Court's directive.

(3) Provide justification for the unprocedural dismissal of senior research officers from KEMRI whose contracts were set to expire in 2025 and their replacement with casual workers.

(4) Explain why many staff of Kenya Medical Research Institute who have worked under successive contracts for over 10 years without being absorbed into permanent positions having had their contracts terminated without notice.

(5) Provide a list of all staff members who were reinstated as per the Court's order and explain the reasons for KEMRI's failure to comply with judicial directives, a failure that has persisted for several years.

I thank you.

Sen. Onyonka: Thank you, Mr. Speaker, Sir. Since my brother, Cherarkey, has discussed the issue of KEMRI, I would hope that the clerks to this House would perhaps look for a way on how, sometimes when we ask overlapping questions, they can put them together.

ALLEGED DELAY IN DISBURSEMENT OF PENSION TO RETIRED KEMRI EMPLOYEES

Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare regarding the inordinate delay in the processing and disbursing of pension dues to retired employees of the Kenya Medical Research Institute under the defined Benefit Scheme.

In the Statement, the Committee should-

(1) Explain the circumstances that led to the accumulation of approximately Kshs2.5 billion in unpaid pension dues owed to retired KEMRI employees under the defined Benefit Scheme, outlining remedial actions to be taken to address the situation.

(2) Provide a timeline for the settlement of these unpaid pension dues.

(3) State measures put into place to ensure that a similar delay or a similar occurrence is not witnessed again in the near future.

FINANCIAL PERFORMANCE OF THE NAIROBI EXPRESSWAY

Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Roads, Transport and Housing concerning the financial

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performance of the Nairobi Expressway, given that recently there has been conflicting information as to how the expressway has been doing. This is a key infrastructure project commissioned in 2022 under the Public Private Partnership (PPP) model.

The National Expressway is operated by the China Road and Bridge Corporation Company under a 27-concession agreement, which was envisioned as a financially sustainable solution so that we could decongest Nairobi, enhance urban mobility, contribute to Kenya's economic growth and make sure that the city is decongested.

Mr. Speaker, Sir, however, recent financial reports suggest concerning trends that warrant further scrutiny.

I would want the committee to-

(1) Provide a report on the financial performance of the expressway since its inception, including a comparison of the projected versus actual outcome;

(2) outline mitigating strategies to address the operational inefficiencies, optimize toll revenue, and the management of the loan repayment costs effectively;

(3) evaluate the efficacy of the PPP model in delivering value for money in this project, given the reality of what has happened with the Adani debacle; and recommend the necessary policy adjustments to improve future infrastructure investments in our country;

(4) assess the broader economic impact of toll-based infrastructure on citizens and propose measures to balance affordability with financial sustainability; and, finally,

(5) propose actionable solutions to ensure the long-term operational viability of the expressway without overburdening taxpayers, or compromising service quality including whether this expressway can be extended to go all the way to Thika Highway, all the way to Ongata Rongai and other places within the outlying areas of Nairobi city.

STATE OF NAIROBI FUNERAL HOME

Mr. Speaker, Sir, I also rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Health regarding the state of the Nairobi funeral home formerly known as City Mortuary.

The Senator for Nairobi City County had raised a question on this matter. I wish that some of the committee clerks would combine some of our questions of them being spread all over.

In the Statement, the Committee should-

(1) State the number of unclaimed bodies currently being held at the Nairobi Funeral home, explaining the reasons such as the administration of the unidentified bodies, the circumstances of admission of these bodies as well as the reported visa vis the identified cause of death;

(2) Explain the legal process of allowing the disposing of the more than 100 unclaimed bodies in the mortuary, indicating the status of the application made by the Nairobi City County Government in accordance with the Public Health Act, CAP 242, on the 20th September, 2024;

(3) Outline the steps taken by the county government of Nairobi to address the overcrowding of the Nairobi funeral home, which has been a permanent case;

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(4) State measures put in place by the Ministry of Health To address overcrowding in mortuaries across our country, and across, across Kenya, and to make sure that these mortuaries are functioning and well managed;

(5) Explain how the Government intends to address the underlying socio-economic factors that contribute to the increasing number of unclaimed bodies in the mortuary.

IMPLEMENTATION OF THE EDIBLE OIL CROP PROMOTION PROJECT BY AFA

Mr. Speaker, Sir, I rise again, pursuant to Standing Order No.53(1), to seek a Statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the status of implementation of the Edible Crops Promotion Project by the Agriculture and Food Authority (AFA).

In the Statement, the committee should –

(1) Provide details of the edible oils crops promotion project by the AFA, including the project's justification, a breakdown of the Kshs981 million budgetary requirement and allocation, as well as the counties participating in this project;

(2) Report on the status of the implementation of the project, stating how and when sunflower seeds were procured and explain to Kenyans the decision by the government to procure the seeds from Zambia and not to procure the seeds locally, particularly from Trans Nzoia County;

(3) Provide details on the distribution of the sunflower seeds across the country, disclosing the criteria for distribution, the number of farmers who have received the seeds so far, as well as the support to be offered to the farmers in the short and the long term;

(4) Provide a list of the factories in Kenya capable of processing sunflower and oil seeds into edible oil, specifying whether they are government -privately owned or cooperatively owned, cooperative society owned, explaining the initiatives that the government has set up to boost the local capacity to process the anticipated increase in safflower seed production and consumption; and finally,

(5) Explain how the government plans to monitor and evaluate the implementation of this project, indicating when the evaluation report will be released.

FAILURE BY THE NATIONAL TREASURY TO ACCOUNT FOR PAYMENT OF NATIONAL DEBT

Mr. Speaker, Sir, I also rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Finance and Budget regarding the failure of the National Treasury to provide adequate supporting documentation for Kshs161 billion payments for external debt by the year FY2020 /2021, FY2021/2022, and FY2022/2023 as per the special audit report of the Auditor-General on debt servicing for the 2021, 2022 and 2023 financial years.

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This report raises pertinent concerns over budgeted corruption, possibly plunder, and waste of public resources, which has, which poses a significant threat to our nation's economic integrity, development, and growth.

In that Statement, the Committee should-

(1) Inquire and provide a detailed explanation for the Kshs161 billion payments for external debt, which was done between 2021 and 2022 and 2023 financial years, stating why the National Treasury failed to provide adequate supporting documentation to the Auditor-General for these payments to be made;

(2) evaluate the prudence of government borrowing and sustainability of Kenya's public debt in light of the reported accountability gaps, as well as the government plans to borrow an additional Kshs413 billion in the year 2024 and 2025 financial years;

(3) provide a comprehensive account of Kenya's debt, how much money we have borrowed in the last 10 years, and if possible, have a distinction between the money borrowed locally and externally, indicating the projected repayment timelines as well as the measures put in place to mitigate any risks of default;

(4) outline the legal and policy reforms being implemented to ensure transparency, and accountability in borrowing and debt repayment to restore public trust and safeguard our country's fiscal sustainability and fiscal growth.

TERMINATION OF SERVICE OF
PROF. STEPHEN KIAMA GITAI

Sen. Onyonka: Mr. Speaker, Sir, I rise under Standing Order No.53(1) to seek a Statement from the Standing Committee on Education regarding the termination of Professor Stephen Kiyama Gitai from his position as Vice-Chancellor of the University of Nairobi last year.

In the Statement, the committee should-

(1) disclose the reason for the suspension and dismissal of Professor Kiama, including the justification for the premature termination of his permanent and pensionable terms of employment as a professor at my old university, the University of Nairobi;

(2) table a comprehensive report of the investigations into his conduct, if any, including allegations of misconduct, if any, and insubordination, if any, and the disciplinary actions which were taken by the university or any other body;

(3) detail the status of the University of Nairobi's assets, particularly the properties and land, including any ongoing plans for their disposal and transfer of these properties to private individuals and developers;

(4) outline measures taken by the University Council to protect these assets which are under their jurisdiction and which information we have is that many private individuals who are scrupulous have just been transferring acres and acres of land owned by these universities in the Republic of Kenya.

IMPLEMENTATION OF THE EDIBLE OIL CROP
PROMOTION PROJECT BY AFA

Mr. Speaker, Sir, I rise, under Standing Order No.53(1) to seek a Statement from the Standing Committee on Agriculture and Livestock.

Sorry, Mr. Speaker, Sir. I would be repeating myself.

Thank you very much, Sir, for allowing me to stretch your time. I appreciate it.

The Speaker (Hon. Kingi): Sen. Kinyua, you may proceed.

LAND DISPUTES BETWEEN RANCHERS AND
RESIDENTS OF LAIKIPIA COUNTY

Sen. Kinyua: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the escalating land dispute between ranchers and residents of Laikipia County, which threatened to result in eviction and displacement of residents.

The situation has been particularly dire in the following areas-

(1) Kinamba area of Sosian Ward, Laikipia North, where the owners of Ol Maisor and Sosian ranchers have fenced off stock routes traditional belonging to the locals. Additionally, a barricade used by Kinamba residents since colonial times has been fenced further exacerbating tensions.

(2) Muramati area of Umande Ward, Laikipia East, where ranchers, including Ol daiga and other investors have fenced off land blocking locals' access to critical amenities such as water. Further, there are claims that the management of Ol pejeta Conservancy has approached the locals of Liashu in Lamuria Division, Laikipia Central, with a relocation proposal ostensibly to create a wildlife corridor.

In the Statement, the Committee should-

(1) Clarify the terms of lease agreement for the ranches operating in the affected areas.

(2) Outline any measures in place to protect the residents of Liashu, Ramuria Division, from being disenfranchised from ownership of their lands.

(3) Provide details on the authority under which these ranches and conservancies are acting, including whether their actions align with legal and procedural requirements.

(4) Explain what civic education efforts have been undertaken to inform and involve residents before taking action of such significant magnitude that could lead to eviction and displacement of residents.

(5) Provide a status report on the progress made in issuing title deeds to Kinamba residents to enable them secure their land ownership rights.

I thank you.

The Speaker (Hon. Kingi): Sen. Alexander Mundigi, proceed.

DUALLING OF MAKUTANO-MWEA-EMBU-CHUKA-MERU ROAD

Sen. Munyi Mundigi: Mr. Speaker, Sir, I rise pursuant to Standing Order No.53 (1) to seek a Statement from the Standing Committee on Roads, Transport and Housing regarding the dualling of the Makutano-Mwea-Embu-Chuka-Meru Road classified as a Class B6, covering a distance of 169 kilometers.

This road, which traverses the counties of Kirinyaga, Embu, Tharaka Nithi and Meru serves as a critical transport corridor for the movement of goods and services between Meru and Nairobi. Enlarging this road capacity through dualling will unlock the high economic potential of these counties.

In the Statement, the Committee should-

(1) Provide a detailed report, including statistics on the number of vehicles utilizing this road daily from 2023 to date as a basis for assessing the need for its conversation to a dual carriage way.

(2) Present data on traffic accident reported on this road from the year 2023 to date, including the number of fatalities and injuries.

(3) State whether the Ministry of Roads and Transport has plans to upgrade the road into a dual carriageway and inform on the status of these plans.

(4) Indicate the timeline for the commencement of the dualling works.

The Speaker (Hon. Kingi):Sen. Joseph Githuku, proceed.

MAINTENANCE OF MKUNUMBI- KIBAONI ROAD
BY LAMU COUNTY GOVERNMENT

Sen. Githuku: Thank you very much, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53 (1) to seek a Statement from the Standing Committee on Roads, Transport and Housing regarding basis of the maintenance of the Mkunumbi-Kibaoni Road by the County Government of Lamu.

In the Statement, the Committee should-

(1) Provide the breakdown of the Kshs7,920,886 spent by the County Government of Lamu in the routine maintenance of the road in the financial year 2023/2024, indicating the specific activities carried out and their respective costs.

(2) Explain the legal basis of the routine maintenance of the Mkunumbi- Kibaoni Road by the County Government of Lamu despite the road being a section of the Garsen-Lamu Road, which is a national trunk road that should be maintained by the Kenyan National Highways Authority (KeNHA).

(3) Clarify whether the County Government and KeNHA signed a Memorandum of Understanding or undertook consultation prior to the commencement of maintenance work on the road by the County Government, and if so, provide the details of the same.

(4) State whether the County Government conducts audits or reviews of the maintenance work carried out on the road to evaluate adherence to establish standards.

Mr. Speaker, Sir, I have another Statement.

MAINTENANCE OF HINDI-KIBAONI ROAD IN LAMU COUNTY

Mr. Speaker, Sir, I rise pursuant to Standing Order No.53 (1) to seek a Statement from the Standing Committee on Roads, Transport and Housing regarding the routine maintenance of the Hindi-Kibaoni road in Lamu County. In the Statement, the Committee should-

(1) Provide a detailed breakdown on the Kshs9,424,292.40 allocated for the Hindi-Kibaoni Road projects in the financial year 2023/2024, including breakdown of activities undertaken such as bush clearing along both sides of the road, grading services and associate costs.

(2) Avail supportive documentation, including contracts, invoices and progress report to verify how funds were utilized on the Hindi-Kibaoni Road.

(3) Provide details of the tendering process for the road project, including the name of the awarded contracts and the terms of contracts.

(4) Explain the need assessment criteria used by the County Government of Lamu to inform the opening of the rehabilitation of the Hindi-Kibaoni road, clarifying whether any feasibility studies or cost benefits analysis were conducted before authorising the expenditure, especially considering the road's dilapidated state.

(5) State measures taken by the County Government to ensure that expenditures on the road projects like the Hindi-Kibaoni road deliver value for money, noting the road's dilapidated state and the potential needs for the existing extensive rehabilitation.

(6) State whether the County Government of Lamu conducted any audit or review of the project to assess its cost efficiency and effectiveness. If so, avail the results for the public scrutiny.

I thank you.

CONSTRUCTION OF MIGORI COUNTY HEADQUARTERS
AND OTHER RELATED PUBLIC WORKS

Sen. Oketch Gicheru: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53 (1) to seek a Statement from the Standing Committee on Roads, Transport and Housing regarding the status of the construction of Migori County Headquarters and other related public works. In the Statement, the Committee should-

(1) Provide the implementation status of the Migori County Headquarters project, including adherence to approved construction requirements, costs and timelines.

(2) Outline the total budgetary allocations for the project by financial year, detailing the amounts utilised since its commencement.

(3) Disclose how budgetary allocations for the projects were included in the county budget estimates and supplementary budgets, providing evidence of necessary approvals for these allocations.

(4) Identify the county department or agency responsible for implementing and supervising the construction works for the headquarters.

(5) Furnish a list of contracted entities involved in the project, detailing their terms of reference and works completed and agreed on Key Performance Indicators,

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(KPIs). Additionally, provide information on actions taken in response to contractor non-compliance, if any.

Further submit monitoring and evaluation reports conducted by the relevant county department or agency, including the status of any recommendations made in these reports, and finally-

Provide a roadmap for the completion and handover of the headquarters, specifying the expired timeline and outlining anticipated efficiency gains and potential budgetary savings upon its completion.

BUDGET ALLOCATION AND UTILISATION FOR MIGORI COUNTY FOR FY 2023/2024

Mr. Speaker, Sir, this I rise, pursuant to Standing Order No. 53(1) to seek a statement from the Standing Committee on Finance and Budget concerning the budget allocation and utilization for the Financial Year 2023/2024 in Migori County and the measures in place to ensure effective and lawful budgeting to promote service delivery.

The Office of the Controller of Budget (COB), in its annual implementation report for the Financial Year 2023/2024, raised concerns about budgeting practices in Migori County, including suboptimal implementation outcomes. There is a critical need for transparency regarding several budgetary issues highlighted in the report, as well as for the introduction of measures to ensure sound budgeting practices.

Mr. Speaker, Sir, this should include compliance with the Public Finance Management (PFM) Act, CAP 41.2(A) and other relevant legislation, particularly the fiscal responsibility principles to promote transparency in the use of county resources and prioritise funding for effective service delivery.

In the Statement, the Committee should-

(1) Indicate whether the County Executive confirms whether it utilizes both itemized budgeting and Programme-Based Budget (PBB) framework for annual county budgeting, and whether the county expenditure is done through the IFMIS in compliance with the PFM Act 2012 and its regulations thereafter.

(2) Provide a detailed breakdown of itemized budgetary allocations for the Department of Finance and Economic Planning and for the Department of Public Service Management, Monitoring and Evaluation and clearly indicate utilisation and absorption rates, as well as any in-year budget revisions, in so far known as supplementary budgets, approved by the County Assembly, especially for the Financial Year 2023/2024.

(3) Submit detailed justifications for the additional recurrent budget allocations of Kshs117.499 million to the Department of Finance and Economic Planning and Kshs72.506 million to the Department of Public Service Management, Monitoring and Evaluation, as reported in the CoB Financial Year 2023/2024 report. Additionally, this must bring their total allocations to Kshs972.853 million and Kshs786.96 million, respectively for the two departments.

(4) Provide detailed information on the outputs achieved or realized through the budget allocations to these two departments, particularly in light of the CoB report

indicating over 99.9 per cent Exchequer releases and absorption utilisation for the Financial Year 2023/2024.

(5) Explain the circumstances surrounding the breach of the PFM Act 2012 regarding the fiscal responsibility principles where approved department budget allocations were 36 per cent but the actual performance by the end year was only 22 per cent as reported by the CoB, explaining corrective measures in place to ensure compliance moving forward.

(6) State the steps in place to better direct county resources toward pro-poor priority programs and cap budgeting multi-practices, including ring-fencing and utilizing development allocations to ensure they are used only for development purposes in subsequent fiscal years.

(7) Provide a detailed itemized budget for the Department of Finance and Economic Planning and the Department of Public Service Management as approved by the County Assembly in the Financial Year 2024/2025 outlining the expected outcomes or services for the period and provide an update on the budget performance as of November 2024 including any achieved outputs or results.

I thank you.

The Speaker (Hon. Kingi): Thank you. I will allow limited comments for not more than 15 minutes on these Statements. Senator for Nairobi City County.

Sen. Sifuna: Thank you, Mr. Speaker, Sir. It is quite curious the number of Statements that have been brought by my colleagues and yet it is the final week of sitting. I wanted to raise a concern. The majority of the Statements that have been raised have been directed at the Standing Committee on Roads and Transportation. I have counted no less than seven such Statements.

At our last meeting, we had almost 30 or 50 Statements that are still pending. There is a conversation we had with the Senate Majority Leader at least during the Senate Business Committee (SBC) on what needs to happen when we resume. It would be quite unfair for---

(Sen. Tabitha Keroche consulted loudly)

The Speaker (Hon. Kingi): Order, Sen. Tabitha Keroche. Proceed, Senator for Nairobi City County.

Sen. Sifuna: Mr. Speaker, Sir, it would be quite unfair because I know there is a discussion about reconstituting the committees. I have indicated that I would want to leave some of those committees. However, I feel it is very unfair for the people or the members who will be joining those committees to be inundated with all these Statements.

I do not know if it is possible but we wanted to request your office; at least for us in the Standing Committee on Roads and Transportation to be facilitated during the long break to make sure that we clear all the Statements regarding roads.

We have offered to do this in Nairobi City County at the least cost to the office of the Speaker so that we can clear this.

When we hand over to the new team that is coming into that Committee, at least we will not leave them with matters that have been pending all this time. It is also an indicator of the state of the roads in this country.

I said during the debate on the President's Speech that we had an occasion in the Standing Committee on Energy to have a conversation with the Chairperson of the Standing Committee on Roads, Transport and Housing---

(Sen. Tabitha Keroche consulted loudly)

The Speaker (Hon. Kingi): Hon. Senator for Nakuru County, I will give you the first caution of the day. If you proceed, I will rule you out of order. Proceed, Senator.

Sen. Sifuna: Mr. Speaker, Sir, we need to deal with two issues: First, I am happy that on the Order Paper today we have CARB. We need to dispense with this so that we can release money to counties. Every time we raise questions about roads in our counties, the governors say they do not have money.

Then the second issue is the dispute of the RMLF. If there is anything as a House, we can do to help unlock the stalemate existing between the National Assembly and the Council of Governors (CoG), we should avail ourselves to help resolve that issue.

The problems of roads here in Nairobi and across the counties is now an issue of national concern. All leaders should now take up this matter to ensure that at least we resolve the problem of the roads in this country.

I thank you.

The Speaker (Hon. Kingi): Proceed, Sen. Faki.

Sen. Faki: Asante Bw. Spika kwa kunipa fursa hii kuchangia Taarifa ambayo imeletwa na Sen. Kibwana; taarifa kuhusiana na siku 16 za kupambana na *gender-based violence* yani vita dhidi ya dhuluma ya kijinsia. Ni siku kumi na sita ambazo zinaadhimishwa kuanzia tarehe 25 mwezi uliopita mpaka tarehe 10 Decemba.

Kwa kusema kweli, mwaka huu katika nchi ya Kenya, tumeona visa vimeongezeka vya ukatili dhidi ya wasichana, kina mama na vile vile pia watoto wadogo wa kike. Polisi walipotoa tarakimu zao mwezi uliopita, ilikuwa karibu wanawake 100 ambao walikuwa wameuliwa mikononi mwa watu kwa sababu za kikatili.

Hilo ni swala ambalo kwa sasa Kenya ilifikia wakati ambapo kina dada wanapigania haki ya kutimiza thuluthi moja katika Bunge. Kupambana na kuwa wanapigwa kama hivyo, si jambo la kufurahisha.

Kenya yetu ina Katiba ambayo inapaswa kufuatwa. Vile vile katika tamaduni zote za Wakenya katika makabila 47 au 48 kwa sasa, hakuna kabila ambalo lina tamaduni ya kuwaadhibu wanawake ama kuwapiga. Kwa hivyo masuala haya yameongezeka na nyingi hutokea kwa sababu ya zile vitu tunaita *online*.

Watu wanaanza uhusiano usioeleweka katika mitandao na baaadaye unapata katika uhusiano huo kunatokea kifo ama kudhurika kwa yule mtoto wa kike.

Kwa hivyo, tungependa kuisihi serikali kwamba swala hili liangaliwe. Sisemi kwamba hao watu 100 waliokufa ni wachache. Kwa sasa hata mtu mmoja akifa kwa njia ambayo si ya sawa, ni makosa katika Katiba yetu. Kwa hivyo, ni lazima tupambane na jangaa hili.

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Bw. Spika Taarifa ya pili ambayo nilikuwa nataka kuchangia ni taarifa ambayo imeombwa na Naibu wa Spika, Seneta wa gatuji la Meru, kuhusiana na mambo yalivyo katika University of Nairobi ambacho ni chuo ambacho mimi niliwahi kupitia. Ni jambo la kusikitisha kwamba vyuo vyetu sasa vina kuwa ni mahali ambapo uongozi haufanyiki au uongozi umekuwa duni kiasi ambacho migogoro na mizozano haishi.

Ikumbukwe Jumatatu ya wiki iliyopita, kulikuwa na maandamano ya wafanyikazi Kenyatta University Teaching and Referral Hospital (KUTRH) ambapo ikasabisha kujiuzulu kwa Mwenyekiti wa Jopo ya hospitali ile, Profesa Mugenda. Vile vile, mkurugenzi msimamizi Dr. Adan pia ikabidi aende nyumbani kutokana na hali ambayo ilikuwa hairidhishi katika chuo kile.

Bw. Spika, KUTRH ni hospitali ambayo ni *Level 6* na katika Kenya hospitali kama hizi ziko tatu pekee yake. Haipendezi kwamba taasisi kama ile ikumbwe na mgogoro wa uongozi wakati hapa Kenya tuna viongozi wakila aina.

Tunaweza kuleta maprofesa wa kila aina. Kwa hivyo, inaonekana taasisi zetu zinaingia katika mikono ya uongozi ambao sio ya sawa. Hii ndio sababu ya hii migongano na migogoro ambayo haiishi katika taasisi zetu na vyuo vikuu.

Moi University imekwenda na maji. Nilisikia Seneta wa Nandi akisema kwamba Moi University imesaidia Karatina University na vyuo vingine. Hata hivyo, vipi usaidie wengine wainuke halafu wewe mwenyewe uzame? Inatokana na uongozi mbaya. Kwa hivyo ni lazima kama Seneti tupambane na visa vya uongozi mbaya katika taasisi za kitaifa.

Bw. Spika, tukizifungia macho kuwa ni watu wanaotoka kwetu, jamaa zetu ama University iko kwetu kwa hivyo lazima kiongozi, mwenyekiti ama Vice-Chancellor atoke kwetu ili aongoze taasisi kama ile, tutakuwa tunawaharibia Wakenya na vijana ambao wengi wana matumaini kwamba wakitoka katika University ile wataweza kutimiza ndoto zao za kufanyia kazi taifa la Kenya.

Asante.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Speaker, Sir, for this chance. I want to comment on the Statement by the Senator for Meru, the Deputy Speaker, Sen. Kathuri on this alleged mismanagement of the University of Nairobi.

I do not know much about this University simply because of the very fact that I do not understand how you can study at a University next to a very busy highway. How will you concentrate? However, that is beside the point.

Mr. Speaker, Sir, the most important thing that I wanted to raise about this Statement ---

I do not know why I am being distracted. I am struggling to make a ---

The Speaker (Hon. Kingi): Proceed.

The Senate Majority Leader (Sen. Cheruiyot): Thank you for protecting me. I thought what I said is a Statement of fact about where that University is located.

Yesterday, the President said there is a bad spirit in the country of opposing everything. I think there is another bad spirit of everybody trying to do everybody's job but their own. This Statement alleges that the University Council chairperson, has left his responsibilities as a chairperson of the Council and is now busy executing the executive role that is a preserve of the Vice-Chancellor.

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I do hope that the Committee on Education can quickly find out what the facts are in this particular case. I have heard this conversation from very reliable sources, including people that I hold in extremely high regard. As they say, if you hear it repeated more than once and perhaps from very credible sources, then chances are that there is truth in what is being said.

I hope our Committee on Education committee can interfere while there is still time before University of Nairobi goes the way of many other public universities that have gone down the drain because of wrangles at the leadership level. It will be extremely unfortunate if the Senate of this country just watches idly as such a great institution goes down.

I am saying everybody now has a spirit of trying to do everyone's job is because in the last few days, I have seen many people including the church speak on many things in this country. They are castigating us asking why as Parliament, why are you hurrying up legislations and so on and so forth. Sometimes I wonder what I am supposed to do.

Kenya is a multi-party democracy. For example, I campaigned alongside the President. He came to the county where I represent in this House. There are promises that we made to those people and we were allocated responsibilities. The President was to lead the Executive and I was to represent their interest here in Parliament. If there is legislation that has been brought before this House and it agrees with the manifesto upon which our party campaigned on, should I delay or expedite that legislation?

Mr. Speaker, Sir, that explains part of what I am saying ails our country; where you find people have become experts in everything. You want to be an expert in health matters, education policy and comment on the legislature.

Mr. Speaker, Sir, you want to say absolutely nothing about the deteriorating standards of religious practices in the country, including institutions that are cropping up and taking advantage of innocent civilians. I do not think there has ever been a time where innocent citizens have been conned by fake churches and fake pastors such as this particular time.

Sen. Mungatana came under a lot of criticism because of the report he tabled here on their findings of Shakahola massacre. I remember him being dressed down at a particular function somewhere in Kiambu and told to concentrate on his work as a legislator, but not to tell them how to manage church affairs.

I thought that was a fair request because Sen. Mungatana is least qualified to address the church on how to run their affairs, but does the same pass to them and are they experts in everything? I am talking about those who are lecturing everybody else, but themselves on how to take their responsibilities.

There is a new spring of democracy or definition in the country. That is why I agree with Sen. Omtatah. I am proud of him because he has openly declared and said that since he does not agree with the policies of the Kenya Kwanza Administration and thinks he can do a better job than President William Ruto, he wants to mount a presidential campaign. That is how democracy works.

If you feel that you can offer better solutions to challenges facing Kenyans, then offer yourself for leadership. Go around the country and put out a manifesto like Sen. Omtatah has done.

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The challenge we have is that we have experts from all over. There are people who want to tell you how to run everything, yet the only thing they have ever run in their life is a social media account. However, they are so loud and have an opinion of what should and what should not be done.

Congratulations, Sen. Omtatah. I look forward to listening to your manifesto and ideas, so that you tell us how you will move the country forward at the right time when the opportunity presents itself and Kenyans agree with you. We will grant you the opportunity and ask you to do better than those who were there before you. However, we cannot redefine democracy where at every twist and turn you want to reinvent and ensure that in every decision being made, you have to say something or do not agree.

That is not democracy. Democracy is simply the fact that because all of us can never agree on the same idea, we allow the minority to have their say, but eventually the majority will have their way. That is how a country functions.

Mr. Speaker, Sir, I expect that Members of our Committee on Education will guide us with the facts, so that we establish what is ailing this institution before it is too late.

I thank you.

The Speaker (Hon. Kingi): That brings us to the end of the comments session. I now call upon the Chairperson of the Committee on Finance and Budget to lay the Paper. Had you laid the Paper?

Sen. Ali Roba: Yes, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Okay. You may now proceed to give the Notice of Motion.

NOTICE OF MOTION

ADOPTION OF REPORT ON THE COUNTY GOVERNMENTS (EQUITABLE SHARE) CASH DISBURSEMENT SCHEDULE FOR FY 2024/2025

Sen. Tabitha Mutinda: Mr. Speaker, Sir, I beg to give Notice of the following Motion-

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments' (Equitable Share) Cash Disbursement Schedule for the Financial Year 2024/2025 laid on the Table of the Senate on Wednesday, 4th December, 2024 and that, pursuant to Section 17(7) of the Public Finance Management Act and Standing Order No.189(3), the Senate approves the County Governments' (Equitable Share) Cash Disbursement Schedule for the Financial Year 2024/2025 to take effect upon enactment of the County Allocation of Revenue Bill (Senate Bills No.25 of 2024).

The Speaker (Hon. Kingi): Hon. Senators, for the convenience of the House, allow me to rearrange the sequence of today's Order Paper, pursuant to Standing Order No.45(2). We will proceed to prosecute Order No.14. Thereafter, we will resume the normal flow. That particular Order will be hybrid going forward until we conclude it.

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Clerk, you may proceed to call out Order No.14.

COMMITTEE OF THE WHOLE

(Order for the Committee Read)

[The Speaker (Hon. Kingi) left the Chair]

IN THE COMMITTEE

[The Temporary Speaker (Sen. Mumma) in the Chair]

THE COUNTY ALLOCATION OF REVENUE BILL
(SENATE BILLS NO.25 OF 2024)

(Consideration of His Excellency the President's Recommendations)

(Sen. Ali Roba on 4.12.2024 – Morning Sitting)

(Resumption of debate interrupted on 4.12.2024 – Morning Sitting)

The Temporary Chairperson (Sen. Mumma): Hon. Senators, we are now in the Committee of the Whole to consider the President's Memorandum on the County Allocation of Revenue Bill (Senate Bills No.25 of 2024). The clauses were canvassed in the morning. We are now moving to Division.

Serjeant-at-Arms, please ring the Division Bell for 10 minutes.

(The Division Bell was rung)

Serjeant-at-Arms, kindly ring the bell for five more minutes.

(Division Bell was rung)

Serjeant-at-Arms, please stop the Bell and close the doors and draw the Bar.

(The Doors were closed and Bars drawn)

Hon. Senators, we have two Divisions. Those Senators in the Chamber will vote electronically while those online will vote by voice.

Hon. Members, withdraw your cards and log in afresh, please.

Serjeant-at-Arms, please remove unattended cards.

Is everybody ready?

Hon. Senators, I am proceeding to put the Question, I hope that you have logged in. You may now proceed to vote.

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(Electronic voting in progress)

Sen. Kajwang', please approach the Clerk's Table.

(Electronic voting in progress)

Hon. Senators online, will now have a vote by voice.

(Electronic voting in progress)

DIVISION

ELECTRONIC VOTING

(Question, that the First Schedule be amended as proposed, put and the Senate proceeded to vote by Count Delegation)

AYES: Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. Lomenen, Turkana County; Sen. M. Kajwang', Homa Bay County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: 0

The Temporary Chairperson (Sen. Sen. Mumma): Hon. Senators, I wish to announce the results of this Division -

AYES: 34

NOES: 0

ABSTENTION: 0

The 'Ayes' have it.

Hon. Members, allow me to repeat the results for the Division. There was one Senator in the Chamber who had not voted. The results are as follows-

AYES: 35

NOES: 0

ABSTENTIONS: 0

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The “Ayes” have it.

(Question carried by 35 votes to nil)

Hon. Senators, we now move to the next Division that the Second Schedule be amended as proposed. Members you may log in and vote. I now put the Question. You may now proceed to vote.

(Electronic voting in progress)

Let us now move to the Senators online.

Sen. Mandago, you may proceed to vote.

(Loud consultations)

Order, Senators. I would like some silence so that we can hear him.

Sen. Mandago, please vote.

(Sen. Mandago voted online)

The Temporary Chairperson (Sen. Mumma): Thank you. He has voted, yes.

Sen. Wamatinga, please vote.

(Sen. Wamatinga voted online)

I cannot see you, Sen. Wamatinga. Please put on your video.

(Sen. Wamatinga put on his video and voted)

Thank you, Sen. Wamatinga.

Sen. Mwaruma, please vote.

(Sen. Mwaruma voted online)

I have seen you. Thank you. He has voted, yes.

(Sen. Cherarkey spoke off record)

No, I have seen Sen. Mwaruma on this screen. Is there any other Senator online?

(The Clerk-at-the-Table consulted with the Temporary Chairperson)

Okay. You may now tally.

(Vote tallying in progress)

Hon. Senators, I now wish to report---

(Loud consultations)

(Several Senators stood up in their places)

Sen. Cherarkey, please sit down. Senators, order please. Please sit down.
I now wish to report the results of the second Division.

DIVISION

ELECTRONIC VOTING

*(Question, that the Second Schedule be amended as proposed,
put and the Senate proceeded to vote by Count Delegation)*

AYES: Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo Marakwet County; Sen. Lomenen, Turkana County; Sen. M. Kajwang', Homa Bay County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil

The Temporary Chairperson (Sen. Sen. Mumma): Hon. Senators, I wish to announce the results of this Division -

AYES: 35

NOES: Nil

ABSTENTIONS: Nil

The "Ayes" have it.

(Question carried by 35 votes to nil)

Hon. Senators, I now call the Mover to move for the Committee to report progress.

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Sen. Ali Roba: Madam Temporary Chairperson, I beg to move that the Committee do report to the Senate its consideration of County Allocation of Revenue Bill (Senate Bills No.25 of 2024) and its approval thereof.

(Question proposed)

(Question put and agreed to)

(The House resumed)

[The Temporary Speaker (Sen. Wakili Sigei) in the Chair]

The Temporary Speaker (Sen. Wakili Sigei): Serjeant-At-Arms, you may now draw the Bar and open the Doors.

(The Bars were drawn and the Doors opened)

Hon. Members, I call upon the chairperson to report on the consideration of the President's Memoranda on the County Allocation of Revenue Bill (Senate Bill No. 25 of 2024).

Sen. Mumma: Mr. Temporary Speaker, Sir, I beg to report that the Committee of the Whole has considered the County Allocation of Revenue Bill (Senate Bill No. 25 of 2024) and its approval thereof with amendments.

The Temporary Speaker (Sen. Wakili Sigei): Mover?

Sen. Ali Roba: I beg to move that the House do agree with the Committee on the said Report. I request Sen. Wambua to second.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Wambua proceed.

Sen. Wambua: Mr. Temporary Speaker, Sir, I second.

(Question put and agreed to)

The Temporary Speaker (Sen. Wakili Sigei): Now, Hon. Senators, having the County Allocation of Revenue Bill (Senate Bill No. 25 of 2024) considered and in light of the President's Memoranda, there will be no Third Reading, and the Bill will, therefore, be referred to the National Assembly for consideration.

Hon. Members, I want to direct that we now refer to Supplementary Order Paper No.2, which has already been shared. It is on your *iPads* and also in the *WhatsApp* group for purposes of progress of the order of the day. Clerk, call the next Order.

MOTION

ADOPTION OF REPORT OF THE ON THE COUNTY GOVERNMENTS'
(EQUITABLE SHARE) CASH DISBURSEMENT
SCHEDULE FOR FY 2024/2025

The Temporary Speaker (Sen. Wakili Sigei): I call upon the Chairperson, Standing Committee on Finance and Budget, Sen. Ali Roba.

Sen. Ali Roba: Mr. Temporary Speaker, Sir, I beg to move-

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments' (Equitable Share) Cash Disbursement Schedule for the Financial Year 2024/2025 laid on the Table of the Senate on Wednesday, 4th December, 2024 and that, pursuant to Section 17 (7) of the Public Finance Management Act and Standing Order No.189 (3), the Senate approves the County Governments' (Equitable Share) Cash Disbursement Schedule for the Financial Year 2024/2025 to take effect upon enactment of the County Allocation of Revenue Bill (Senate Bills No. 25 of 2024).

The disbursement schedule is a document that is intended for purposes of predictable cash flow to our county governments. County governments have operated on a reprieve that was given by Regulation 134 of Public Finance Management (PFM) Regulations, which will expire by the end of December. The disbursement schedule has been planned from 1st July. As such, you find that in the observation that I can share with the Senate; there is no accuracy in the disbursement because of that challenge we have been operating in, on vote on account.

Subsequently, the National Treasury has managed to share the cash disbursement schedule, which indicates the predictable cash flow to county governments based on the proposed allocations in the CARB, as well as the Division of Revenue. The Committee considered the cash disbursement schedule on the 4th December, 2024 and noted that it indicates the amount each county is expected to receive on the 15th of every month as indicated in the document we have shared and the report that is online.

Mr. Temporary Speaker, Sir, the only issue I would like to share with the House is that the National Treasury has not been extremely accurate in conforming to the requirements of the cash disbursement schedule of releasing the funds every 15th of each month as planned---

(Loud consultations)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Members, if you are consulting, do it in low tones to allow the Senator to be heard in silence.

Sen. Ali Roba: Despite the fact that these requirements are put in place, the National Treasury has not been able to conform and make sure that they adhere to cash disbursement on the 15th of every month as required to enable the county governments to function.

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Mr. Temporary Speaker, Sir, since this is a document that will facilitate the flow of cash in a predictable manner to our county government, we encourage the National Treasury to make sure that they comply with the schedule that is shared with this House by themselves. I request the Senate to also approve the cash disbursement schedule to accompany CARB for the facilitation of cash flow to our county government. I would like to request Sen. Oketch Gicheru of Migori County to second.

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Oketch Gicheru proceed.

Sen. Oketch Gicheru: Mr. Temporary Speaker, Sir, this is a routine report. Therefore, I second and also urge that we do not debate, but vote for it so that we can get all the---

(Loud consultations)

I request. 'Request' is an English word that means wishful thinking or if possible. Sen. Cherarkey, kindly go to school.

I second.

The Temporary Speaker (Sen. Wakili Sigei): Order, hon. Members.

(Question proposed)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Members, having read the mood of the House and wish of the Members, I now put the Question.

Hon. Members, this being a matter concerning counties, it will be an electronic vote and you will proceed to vote upon the secretariat being ready.

Serjeant-at-Arms, as we set up the voting system, please ring the Bell for three minutes.

(The Division Bell was rung)

Please, continue ringing that Bell for another three minutes.

(The Division Bell was rung)

(An Hon. Member's phone rung)

Sen. Gataya Mo Fire, you are normally a victim of this. I tend to assume that it is most likely you. Hon. Members, let us keep our phones in silent mode. While we were in the Chamber, this directive was previously issued by the Chair. Let us keep our phones in silence.

Hon. Members, the system is now ready for us to conduct the vote. I direct the Serjeant-at-Arms to draw the bar and close the door.

(The Bars were drawn and the Doors closed)

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Hon. Members, this is an electronic vote and you may now proceed to vote. There are Senators who have been walking in and out. I direct the Serjeant-at-Arms to withdraw the cards from unattended delegates units.

Hon. Senators, you may now log in and get ready to vote. For those who need assistance, either vote “Yes”, “No”, or “Abstain”. You can now vote.

Hon. Senators, we have Sen. Chute, Sen. Wamatinga, and Sen. Mwaruma online. We need to allow them to also cast their vote.

Sen. Wahome Wamatinga, I need to see you.

Sen. Wamatinga: Mr. Temporary Chairman, Sir, I vote, yes.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Mwaruma, please vote.

Sen. Mwaruma: Mr. Temporary Chairperson, Sir, I vote, yes.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Chute, could you please have your camera on? We seem not to be able to communicate with Sen. Chute. Sen. Chute, can you hear us?

Clerk, you can pass that. Sen. Mo Fire and Sen. Madzayo, the Senate Minority Leader, please approach the Clerks-at-the-Table.

(Sen. Gataya Mo Fire and Sen Madzayo approached the Clerks-at-the-Table and registered their votes)

Hon. Senators, you may now resume your seats.

DIVISION

ELECTRONIC VOTING

(Question, that Senate adopts the report of the Standing Committee on Finance and Budget on the County Governments’ (Equitable Share) Cash Disbursement Schedule for the Financial Year 2024/2025 laid on the Table of the Senate on Wednesday 4th December, 2024 and that, pursuant to Section 17(7) of the Public Finance Management Act and Standing Order No. 189(3) the Senate approves the County Governments (Equitable Share) Cash Disbursement Schedule for the Financial Year 2024/2025 to take effect upon enactment of the County Allocation of Revenue Bill (Senate Bills No.25 of 2024), put and the Senate proceeded to vote by county delegations)

AYES: Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kinyua, Laikipia County; Sen. Kisang, Elgeyo-Marakwet County; Sen. Lomenen, Turkana County; Sen. M. Kajwang’, Homa Bay County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua

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County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita-Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, the results of the division are as follows-

AYES: 35

NOES: 0

ABSTENTIONS: 0

The “Ayes” have it.

(Question carried by 35 votes to nil)

Serjeant-at-Arms, you may now open the doors and withdraw the Bar to allow hon. Members who are out to enter the Chamber.

(The Bar was withdrawn and the Doors opened)

Hon. Senators, please do not leave the Chamber. We still have business to transact and, therefore, we still need you to vote. We are opening the doors to allow Members to come in. Please let us not leave.

Hon. Senators, for purposes of this, you may need to be notified that we have business to transact from Order Nos. 12, 13, 14, 16, 17, 18, 19, 20, 21, 22 and 23. Please do not leave the Chamber because we still need you to finish this.

Clerk, please call out Order No.12.

Let me re-arrange the Order Paper so that as Members come in, we call from Order No. 8. Clerk, call out those Orders, which are for First Reading.

BILL

First Reading

THE COMMUNITY HEALTH PROMOTERS BILL
(NATIONAL ASSEMBLY BILL NO. 53 OF 2022)

(Order for First Reading – Read the First Time and ordered to be Referred to the relevant Committee)

BILL*First Reading*

THE KENYA HEALTH PRODUCTS AND TECHNOLOGIES REGULATORY
AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO.54 OF 2022)

*(Order for First Reading – Read the First Time and ordered to be
Referred to the relevant Committee)*

BILL*First Reading*

THE TECHNOPSIS BILL (NATIONAL
ASSEMBLY BILL NO.6 OF 2024)

*(Order for First Reading – Read the First Time and ordered to be
Referred to the relevant Committee)*

The Temporary Speaker (Sen. Wakili Sigei): Clerk, you may now call Order
No. 12.

BILL*Second Reading*

THE PUBLIC FUNDRAISING APPEALS BILL
(SENATE BILLS NO.36 OF 2024)

(Sen. Cheruiyot on 14.11.2024)

(Resumption of debate interrupted on 28.11.2024)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Members, this is the Public
Fundraising Appeals Bill (Senate Bills No.36 of 2024). This debate was interrupted on
Thursday, 28th November, 2024 and this is resumption of division.

Hon. Members, Order Nos. 13 and 14 are also resumption of debate that was
interrupted on 28th November, 2024, Division.

Serjeant-at-Arms, please ring the Division Bell for five minutes.

(Division Bell was rung)

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Serjeant-at-Arms, please continue ringing the Bell for another five minutes.

The Temporary Speaker (Sen. Wakili Sigei): Serjeant-at-Arms, you may now close the door and draw the Bar.

Sen. Cherarkey and the Deputy Speaker, please, have your phones off.

I would like to ask the Senators who are online to remain online for purposes of this business that we are going to immediately transact.

(Loud consultations)

(Several Senators stood at their places)

Hon. Members, order! Sen. Tabitha, take your seat. Sen. Wafula, please, take your seat.

After consultations, Order No.12, that is the Public Fundraising Appeals Bill (Senate Bills No.36 of 2024) is hereby deferred.

(Bill deferred)

We shall, therefore, proceed to vote on Order No.13; The County Assembly Services (Amendment) Bill (Senate Bill No.34 of 2023) and Order No.14; The County Assemblies Pensions Schemes Bill (Senate Bills No.14 of 2024)

So, Hon. Members, for now, we are voting on Order Nos.13 and 14.

Members, we are just about to be ready to vote.

Serjeant-at-Arms, please, withdraw all the unattended cards from the delegate units.

Hon. Senators, you can now log back into your units.

We are now ready to vote. You may proceed to cast your vote.

THE COUNTY ASSEMBLY SERVICE (AMENDMENT) BILL
(SENATE BILLS NO.34 OF 2023)

(Electronic voting in progress)

The Temporary Speaker (Sen. Wakili Sigei): Sen. Mundigi, please approach the Dispatch Box.

(Sen. Mundigi approached the dispatch)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, we now want to facilitate the Senators who are online to vote. Sen. Wamatinga, Sen. Oketch Gicheru, Sen. M. Kajwang, Sen. Mwaruma, and Sen. Chute voted.

(Online voting in progress)

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(Technical hitch for Sen. Chute)

Clerk, please, mute Sen. Chute.
We can now proceed to vote on the next Bill

BILL

Second Reading

THE COUNTY ASSEMBLIES PENSIONS SCHEME BILL
(SENATE BILLS NO. 14 OF 2024)

(Sen. Cheruiyot on 20.11.2024)

(Resumption of debate interrupted on 3.12.2024)

(Division)

*(Question, that the County Assemblies Pensions Scheme Bill
(Senate Bills No. 14 of 2024), be now read a Second Time,
proposed and the Senate proceeded to vote by County Delegations)*

(Electronic voting in progress)

The Temporary Speaker (Sen. Wakili Sigei): Sen. Munyi Mundigi, once again approach the Chair to be assisted in voting.

(Sen. Munyi Mundigi proceeded to the Dispatch Box to vote)

We have Sen. Wamatinga. Sen. Wamatinga, please, proceed to cast your vote.

(Sen. Wamatinga voted online)

I am wondering why the Hon. Senator; Deputy Speaker is online yet he is physically present here.

We have Sen. Oketch Gicheru.

(Voting online in progress)

(Some Senators were unable to vote online)

Clerk, we can pass the hon. Members who are unable to vote so that we report?

Sen. Oketch Gicheru: Mr. Temporary Chairperson, can you hear me?

The Temporary Speaker (Sen. Wakili Sigei): Sen. Oketch, we can hear you.

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(Sen. Oketch Gicheru proceeded to vote)

Sen. Chute: Mr. Temporary Chairman, Sir, this is Sen. Chute. Can you hear me?
The Temporary Speaker (Sen. Wakili Sigei): Yes, Sen. Chute, we can now hear you. Earlier, we could not hear you.

(Sen. Chute proceeded to vote online)

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Chute. Your vote is taken.

Sen. M. Kajwang', please, vote.

(Sen. M. Kajwang' voted online)

Thank you, hon. Senator.

Hon. Members, before I announce the results of the two Bills which you have just voted for, I want to correct the earlier results which we read out under The County Allocation of Revenue Bill (Senate Bill No.25 of 2024).

AYES: 36

NOES: Nil

ABSTENTIONS: Nil

The "Ayes" have it.

(Question carried by 36 votes to Nil)

DIVISION

ELECTRONIC VOTING

(Question, that the County Assembly Services (Amendment) Bill (Senate Bills No.34 of 2023) be now read a Second Time, put and the Senate proceeded to vote by Count Delegations)

AYES: Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Lomenen, Turkana County; Sen. M. Kajwang', Homa Bay County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch

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Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, the results of the Division are as follows-

AYES: 32

NOES: Nil

ABSTENTIONS: Nil

The “Ayes” have it.

(Question carried by 32 votes to Nil)

(The Bill was read a Second Time and committed to a Committee of the Whole tomorrow)

DIVISION

ELECTRONIC VOTING

(Question, that the County Assemblies Pensions Scheme Bill (Senate Bills No.14 of 2024) be now read a Second Time, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Lomenen, Turkana County; Sen. M. Kajwang’, Homa Bay County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, the results of the Division are as follows-

AYES: 31

NOES: Nil

ABSTENTIONS: Nil

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The “Ayes” have it.

(Question carried by 31 votes to Nil)

(The Bill was read a Second Time and committed to a Committee of the Whole tomorrow)

Clerk, please, proceed to call out the next Order.

(The Clerk-at-the-Table consulted with the Temporary Speaker)

Hon. Members, for the convenience of the Senate, we will only deal with Order No.16 to Order No.21. Clerk, please, call the next Orders.

COMMITTEE OF THE WHOLE

(Orders for the Committee read)

[The Temporary Speaker (Sen. Wakili Sigei) left the Chair]

IN THE COMMITTEE

[The Temporary Chairperson (Sen. Veronica Maina) in the Chair]

THE COTTON INDUSTRY DEVELOPMENT BILL (SENATE BILLS NO.5 OF 2023)

(Consideration of National Assembly Amendments)

The Temporary Chairperson (Sen. Veronica Maina): Hon. Members, we want to resume this session of Committee of the Whole and we are proceeding to Division. This is the first Division. We are proceeding on with Division on the National Assembly Amendments to the Cotton Industry Development Bill (Senate Bills No.5 of 2023).

(Several Senators stood in their places)

Hon. Members, please, resume your seats.

(Question, that the National Assembly amendments to Clauses 3, 7, 11, 14, 17, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 42, 45, 46, 47, 49, 55, the First Schedule, Clause 2 and the Long Title, put and the Senate proceeded to vote by County Delegations)

The Temporary Chairperson (Sen. Veronica Maina): Kindly proceed to vote. We are proceeding to Division. Kindly vote.

(Electronic voting in progress)

The Temporary Chairperson (Sen. Veronica Maina): We want the Hon. Members who are online to prepare to vote. Sen. Kathuri and Sen. Wamatinga, proceed to vote. Sen. Kathuri, can you hear us? Sen. Wamatinga, can you hear me?

Sen. Wamatinga: Yes, Madam Temporary Chairperson, I can hear you.

The Temporary Chairperson (Sen. Veronica Maina): Please, proceed to vote.

Sen. Wamatinga: Madam Temporary Chairperson, I vote, yes.

The Temporary Chairperson (Sen. Veronica Maina): Can you switch on your camera?

Sen. Wamatinga: Madam Temporary Chairperson, I vote, yes.

The Temporary Chairperson (Sen. Veronica Maina): Thank you, Senator Wamatinga. Sen. Kathuri, kindly, proceed to vote. Are you online? Sen. Oketch Gicheru, are you online? Kindly, proceed to vote and mute your microphone. Please, proceed to vote and mute your microphone.

Sen. Oketch Gicheru: Madam Temporary Chairperson, I am here.

The Temporary Chairperson (Sen. Veronica Maina): Proceed to vote. Senator?

Sen. Oketch Gicheru: Madam Temporary Chairperson, can you hear me?

The Temporary Chairperson (Sen. Veronica Maina): Proceed to vote. Senator, can you proceed to vote? Thank you.

Sen. Oketch Gicheru: I vote, yes.

The Temporary Chairperson (Sen. Veronica Maina): Sen. Kathuri, do you vote, yes?

Sen. Kathuri: I vote, yes.

The Temporary Chairperson (Sen. Veronica Maina): Thank you. Sen. Chute, can you proceed to vote?

Sen. Chute: Are you calling Chute now?

The Temporary Chairperson (Sen. Veronica Maina): Yes. Proceed to vote, Sen. Chute.

Sen. Chute: I vote, yes.

The Temporary Chairperson (Sen. Veronica Maina): Thank you, Senator. Sen. Abass and Sen. Gataya Mo Fire, can you approach the Chair so that you can be assisted to vote?

*(Sen. Abass and Sen. Gataya Mo Fire
approached the Dispatch Box)*

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DIVISION**ELECTRONIC VOTING**

(Question, that the National Assembly amendments to Clauses 3,7,11,14,17,23,24,25,26,27,28,29,30, the First Schedule. Clause 2 and the Long Title of the Cotton Industry Development Bill (Senate Bills No.5 of 2023) be approved put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass Sheikh Mohamed, Wajir County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kavindu Muthama, Machakos County; Sen. Kisang, Elgeyo Marakwet County; Sen. Lomenen, Turkana County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Osotsi, Vihiga County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil

The Temporary Chairperson (Sen. Veronica Maina): Hon. Senators, these are the results of the Division on the National Assembly amendments to the Cotton Industry Development Bill (Senate Bills No.5 of 2023).

AYES: 28

NOES: 0

ABSTENTIONS: 0

The “Ayes” have it.

(Question carried by 28 votes to Nil)

**THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL
(NATIONAL ASSEMBLY BILLS NO.44 OF 2023)**

The Temporary Chairperson (Sen. Veronica Maina): We are proceeding to the next Division on the Houses of Parliament (Bicameral Relations) Bill (National Assembly Bills No.44 of 2023). The first Division is on deletion, and I proceed to put the Question.

Kindly, proceed to vote.

(Electronic voting in progress)

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The Temporary Chairperson (Sen. Veronica Maina): Senators who are online, we want to proceed to vote. Sen. Wamatinga are you ready? Sen. Kathuri can you proceed to vote?

Sen. Kathuri: I vote yes.

The Temporary Chairperson (Sen. Veronica Maina): Sen. Wamatinga?

Sen. Wamatinga: Madam Temporary Chairperson, I vote, yes.

The Temporary Chairperson (Sen. Veronica Maina): Thank you. Sen. Oketch Gicheru? Sen. Chute, proceed to vote. Sen. Chute, are you there? I will give you a final chance. Sen. Chute, we are proceeding in a short while after getting the results of this Division.

The Senate Majority Leader, please, approach the Chair for assistance to vote.

(Sen. Cheruiyot approached the Dispatch Box)

Sen. Oketch Gicheru: Madam Temporary Chairperson I vote yes.

The Temporary Chairperson (Sen. Veronica Maina): Sen. Eddy, is that you?

Sen. Oketch Gicheru: Madam Temporary Chairperson, I vote, yes.

The Temporary Chairperson (Sen. Veronica Maina): Thank you. Sen. Eddy, are you here or online? Sen. Eddy, are you within the precincts of the Senate Chamber? If you are here, approach the Dispatch Box. Sen. Wakoli and Sen. Tabitha Karanja, please, approach the Dispatch Box.

Sen. Chute: Madam Temporary Chairperson, I vote yes.

The Temporary Chairperson (Sen. Veronica Maina): Sen. Chute, can you proceed to vote? Sen. Chute, unmute yourself and vote, please. Sen. Chute, can you hear me? Unmute yourself and vote, please.

Sen. Chute: Madam Temporary Speaker, I vote, yes.

The Temporary Chairperson (Sen. Veronica Maina): Thank you. We are proceeding to the next division on New Clauses.

(Question that New clauses 3 A, 6 A, 7 A, 7B, 7C, 7D and 7 E be now read a Second Time, put and the Senate proceeded to vote by County Delegations).

You may proceed to vote. Senators, please, vote.

(Electronic voting in progress)

The Senators who are online, Sen. Wamatinga, Sen. Kathuri Murungi and Sen. Chute, proceed to vote.

Sen. Kathuri: Madam Temporary Chairperson, I vote, yes.

The Temporary Chairperson (Sen. Veronica Maina): Sen. Chute, please, proceed to vote. Sen. Chute, are you there? Sen. Chute, I will give you the final chance. Sen. Chute and Sen. Wahome Wamatinga, please, proceed to vote and stay online until we finish.

Sen. Chute: Madam Temporary Chairperson.

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The Temporary Chairperson (Sen. Veronica Maina): Sen. Chute, I can see you are online. Can you make another attempt?

Sen. Chute: Madam Temporary Chairperson, can you hear me?

The Temporary Chairperson (Sen. Veronica Maina): I can hear you now. Can you proceed to vote?

Sen. Chute: Madam Temporary Chairperson, are you talking to me?

The Temporary Chairperson (Sen. Veronica Maina): Please, vote. We did not hear your vote. How did you vote?

Sen. Chute: Madam Temporary Chairperson, are you talking to me?

The Temporary Chairperson (Sen. Veronica Maina): In the meantime, let us have the Senate Majority Leader and Sen. Tabitha come to the Dispatch Box and be assisted to vote.

(Electronic voting in progress)

The Temporary Chairperson (Sen. Veronica Maina): Sen. Tabitha Keroche, please, come and vote.

(Sen. Tabitha Keroche proceeded to the Dispatch Box to vote)

Let us proceed to the next Division on clauses with amendments. Hon. Senators, you may proceed to vote.

(Electronic voting in progress)

Senators who are online, please, prepare yourselves to vote; that is Sen. Wamatinga, Sen. Chute and Sen. Kathuri Murungi.

Sen. Chute, please, vote.

Sen. Chute: I vote, yes, Madam Temporary Chairperson.

The Temporary Chairperson (Sen. Veronica Maina): Do not move from that position because the network there is clear.

Sen. Wamatinga, please, vote.

Sen. Wamatinga: Madam Temporary Chairperson, I vote, yes.

The Temporary Chairperson (Sen. Veronica Maina): Thank you. Sen. Kathuri, please, vote and mute your system after voting. Sen. Chute, kindly, mute your system.

Sen. Kathuri, please, vote. Sen. Kathuri, can you hear me? Please, unmute yourself and vote.

(Electronic voting in progress)

Sen. Gataya Mo Fire, Sen. Mandago, Sen. Wakili Sigei and Sen. Wafula, please, approach the Clerks-at-the-Table for assistance in voting and do so quickly. Sen. Wakili Sigei, kindly come and vote.

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(Sen. Gataya Mo Fire, Sen. Mandago, Sen. Wakili Sigei and Sen. Wafula moved to the Dispatch Box to vote)

We are proceeding to the next Division on all the clauses. You may proceed to vote. This is the final Division on this Bill.

(Electronic voting in progress)

Senators who are online, please, prepare to vote. Senators who are online, please be more attentive because of the time element.

Sen. Kathuri, please, vote.

Sen. Kathuri: Madam Temporary Chairperson, I vote, yes.

The Temporary Chairperson (Sen. Veronica Maina): Sen. Wamatinga, please, vote.

Sen. Wamatinga: Madam Temporary Chairperson, I vote, yes.

The Temporary Chairperson (Sen. Veronica Maina): Sen. Chute, please, vote.

Sen. Chute: I vote yes, Madam Temporary Chairperson.

The Temporary Chairperson (Sen. Veronica Maina): Thank you.

(Electronic voting in progress)

The Temporary Speaker (Sen. Veronica Maina): Sen. Cherarkey and Sen. (Dr.) Khalwale, please, approach the Chair.

(Sen. Cherarkey and Sen. (Dr.) Khalwale approached the Chair)

The Temporary Chairperson (Sen. Veronica Maina): Hon. Senators, these are the results of the Division on the Houses of Parliament Bicameral Relations Bill (national Assembly Bills No.44 of 2023).

DIVISION

ELECTRONIC VOTING

THE HOUSES OF PARLIAMENT BICAMERAL RELATIONS BILL (NATIONAL ASSEMBLY BILLS NO.44 OF 2023)

(Question that Clauses 3 (as amended), 6 including the heading to Part III (as amended), 7 (as amended), 19 including the heading to Part V (as amended), 20 (as amended), New clause 3A, New Clause 6A, New Clause 7A, New Clause 7B, New Clause 7C, New Clause 7D, New Clause 7E, the First Schedule (as amended), Clause 2 (as amended), the Long Title (as amended), and Clause 1 (as amended) be part of the Bill, put and the Senate proceeded to vote by Count Delegation)

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AYES: Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Lomenen, Turkana County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Osotsi, Vihiga County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: 0

ABSTENTION: 0

The Temporary Chairperson (Sen. Veronica Maina): Hon. Senators, I wish to announce the results of this Division -

AYES: 28

NOES: 0

ABSTENTIONS: 0

The “Ayes” have it

(Question carried by 28 votes to Nil)

(Clauses 3 (as amended), 6 including the heading to Part III (as amended), 7 (as amended), 19 including the heading to Part V (as amended), 20 (as amended), New clause 3A, New Clause 6A, New Clause 7A, New Clause 7B, New Clause 7C, New Clause 7D, New Clause 7E, the First Schedule (as amended), Clause 2 (as amended), the Long Title (as amended), and Clause 1 (as amended) be part of the Bill, agreed to)

DIVISION

ELECTRONIC VOTING

(Question that Clauses 3,6 including the heading to Part III, 7, 19, including the heading to Part V, 20, the First Schedule, Clause 2, the Long Title and Clause 1 be amended as proposed, put and the Senate proceeded to vote by Count Delegation)

AYES: Sen. Abass, Wajir County; Sen. Boy, Kwale County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Lomenen, Turkana County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu

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County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Osotsi, Vihiga County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: 0

ABSTENTION: 0

The Temporary Chairperson (Sen. Veronica Maina): Hon. Senators, I wish to announce the results of this Division -

AYES: 25

NOES: 0

ABSTENTIONS: 0

The “Ayes” have it

(Question carried by 25 votes to Nil)

(Clauses 3,6 including the heading to Part III, 7, 19, including the heading to Part V, 20, the First Schedule, Clause 2, the Long Title and Clause 1 be amended as proposed, agreed to)

DIVISION

ELECTRONIC VOTING

(Question that New Clauses 3A, 6A, 7A, 7B, 7C, 7D and 7E be now read a Second Time, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Lomenen, Turkana County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Osotsi, Vihiga County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; and, Sen. Wambua, Kitui County.

NOES: 0

ABSTENTION: 0

The Temporary Chairperson (Sen. Veronica Maina): Hon. Senators, I wish to announce the results of this Division -

AYES: 26

NOES: 0

ABSTENTIONS: 0

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The “Ayes” have it

(Question carried by 26 votes to Nil)

(New Clauses 3A, 6A, 7A, 7B, 7C, 7D and 7E were read a Second Time)

DIVISION

ELECTRONIC VOTING

(Question that, Clauses 4 including the heading to Part II, 5, 8, 9,10, 11, 12, 13,14 including the heading to Part IV, 15, 16, 17, 18, and the Second Schedule and the Preamble be deleted, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Ali Roba, Mandera County; Sen. Boy, Kwale County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen.Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Lomenen, Turkana County; Sen. Mandago, Uasin Gishu County; Sen. Mbugua, Nyandarua County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Oketch Gicheru, Migori County; Sen. Okiya Omtatah, Busia County; Sen. Osotsi, Vihiga County; Sen. Tabitha Keroche, Nakuru County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: 0

Abstention: 0

The Temporary Chairperson (Sen. Veronica Maina): Hon. Senators, I wish to announce the results of this Division -

AYES: 28

NOES: 0

ABSTENTIONS: 0

The “Ayes” have it

(Question carried by 26 votes to Nil)

(Clauses 4 including the heading to Part II, 5, 8, 9,10, 11, 12, 13,14 including the heading to Part IV, 15, 16, 17, 18, and the Second Schedule and the Preamble be deleted agreed to)

The Temporary Chairperson (Sen. Veronica Maina): We are done with the Division on the two Bills and we will now proceed on to report. We will start with the Cotton Industry Development Bill (Senate Bills No.5 of 2023).

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I now call upon the Mover of the National Assembly amendment to the Cotton Industry Development Bill (Senate Bills No.5 of 2023), Sen. Beth Syengo, to proceed to report.

THE COTTON INDUSTRY DEVELOPMENT BILL
(SENATE BILLS NO.5 OF 2023)

(Consideration of National Assembly Amendments)

Sen. Beth Syengo: Thank you. Hon. Temporary Chairperson, I beg to move that the Committee to report to the Senate its consideration of the National Assembly Amendments to the Cotton Industry Development Bill (Senate Bill No.5 of 2023) and its approval thereof.

(Question proposed)

(Question put and agreed to)

The Temporary Chairperson (Sen. Veronica Maina): We are proceeding to the reporting of the Bill by the Committee of the Whole on the Houses of Parliament Bicameral Relations Bill (National Assembly Bills No.44 of 2023). I will call upon the Mover to proceed.

The Senate Majority Leader was the mover. Please proceed.

THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL
(NATIONAL ASSEMBLY BILLS NO.44 OF 2023)

The Senate Majority Leader (Sen. Cheruiyot): Hon. Temporary Chairperson, I beg to move that the Committee do report its consideration of the Houses of Parliament (Bicameral Relations) Bill (National Assembly Bills No.44 of 2023) and its approval thereof with amendments.

Thank you.

(Question proposed)

(Question put and agreed to)

The Temporary Chairperson (Sen. Veronica Maina): This is the end of the Committee of the Whole on the two Bills.

(The House resumed)

[The Temporary Speaker (Sen. Wakili Sigei) in the Chair]

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The Temporary Speaker (Sen. Wakili Sigei): Hon. Members, let us resume our seats.

(Hon. Senators resumed their seats)

Hon. Senators, so that we do not interrupt the reporting of the Divisions that we have done, pursuant to Standing Order No.34, I will extend the sitting of the House for 15 minutes.

I now call upon the Mover in The Cotton Industry Development Bill (Senate Bills No.5 of 2023) to report.

Sorry, the Temporary Chairperson first, and then the Mover.

Sen. Veronica Maina, please, proceed to report.

REPORTS

THE COTTON INDUSTRY DEVELOPMENT BILL (SENATE BILLS NO.5 OF 2023)

Sen. Veronica Maina: Mr. Temporary Speaker, Sir, I beg to report that the Committee of the Whole whole has considered the National Assembly Amendments to The Cotton Industry Development Bill (Senate Bills No.5 of 2023) and its approval.

The Temporary Speaker (Sen. Wakili Sigei): Very well.

Sen. Beth Syengo, the Mover, please proceed.

Sen. Beth Syengo: Mr. Temporary Speaker, I beg to move that the House do agree with the Committee of the Whole on the said report.

I request Sen. Wafula Wakoli to second.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Wakoli, proceed to second.

Sen. Wafula: Mr. Temporary Speaker, Sir, I take this opportunity to exactly do what everyone expects, to truly second.

(Question proposed)

(Question put and agreed to)

The Temporary Speaker (Sen. Wakili Sigei): We will proceed to report on The Houses of Parliament (Bicameral Relations) Bill (National Assembly Bills No.44 of 2023, and I call upon the chairperson to report.

THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL (NATIONAL ASSEMBLY BILLS NO.44 OF 2023)

Sen. Veronica Maina: Mr. Temporary Speaker Sir, I beg to report that the Committee of the Whole has considered The Houses of Parliament (Bicameral Relations) Bill (National Assembly Bills No.44 of 2023), and its approval thereof with amendments.

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The Temporary Speaker (Sen. Wakili Sigei): Before I call the mover of the bicameral, I just like to announce that as regards to The Cotton Industry Development Bill (Senate Bills No.5 of 2023), Senators having considered and approved the National Assembly amendments to The Cotton Industry Development Bill (Senate Bills Number 5 Of 2023), there will be no Third Reading, and the Bill will be referred to the National Assembly for consideration.

I now call the Mover of the Houses of Parliament (Bicameral Relations) Bill (National Assembly Bills No.44 of 2023) to move.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, I beg to move that the House do agree with the Committee on the said Report. I request Sen. Eddie to second.

Sen. Oketch Gicheru: Mr. Temporary Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

ADJOURNMENT

The Temporary Speaker (Sen. Wakili Sigei): Hon. Members, we may all rise. It is now 6.45 p.m., late interruption of business under Standing Order No.34 (2) (a).

Having concluded the business for which I extended the hours of sitting pursuant to Standing Order No.34 (2) (a), the Senate stands adjourned until Thursday, 5th December, 2024 at 2.30 p.m.

The House rose at 6.45 p.m.